

**BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP**

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INTELLECTUAL PROPERTY LAW  
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Deliver to: Cho, Hong Sol, USPTO Art Group: 2616  
Facsimile No.: (571) 273-8300 Date: May 27, 2008  
From: Mark L. Watson, Reg. No. 46,322  
Our Docket No.: 42P16159 Number of pages 14 including this sheet.  
Application No.: 10/646,958 Filing Date: 8/21/2003  
Docket Due Date(s): 8/1/2008

Enclosed are the following documents:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Amendment: Response ( 11 pgs)            | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief ( ___ pgs)                             | <input type="checkbox"/> Notice of Appeal (in duplicate)                          |
| <input type="checkbox"/> Application: _____<br>( ___ pgs) w/cover & abstract | <input type="checkbox"/> Petition for: _____                                      |
| <input type="checkbox"/> Assignment & Cover Sheet ( ___ pgs)                 | <input type="checkbox"/> Request for Continued Examination (RCE) (in duplicate)   |
| <input checked="" type="checkbox"/> Certificate of Facsimile                 | <input type="checkbox"/> Reply Brief ( ___ pgs)                                   |
| <input type="checkbox"/> Continued Prosecution Application (CPA)             | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Declaration & POA ( ___ pgs)                        | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Drawings: ___ sheets, ___ figures                   | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: _____                            | <input type="checkbox"/> Response to Written Opinion ( ___ pgs)                   |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate)           | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input type="checkbox"/> IDS & PTO/SB/08 ( ___ pgs)                          | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
| <input type="checkbox"/> Other: _____  | <input type="checkbox"/> Transmittal Letter                                       |

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

  
Shannon Serrano

5/27/2008  
Date

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# FEE TRANSMITTAL for FY 2007

*Patent fees are subject to annual revision.*

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 0.00

## Complete if Known

Application Number 10/646,958  
Filing Date August 21, 2003  
First Named Inventor Carey W. Smith  
Examiner Name Cho, Hong Sol  
Art Unit 2616  
Attorney Docket No. 42P16159

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☒ Nonc ☐ Other (please identify):  
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge fee(s) indicated below, except for the filing fee ☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.  
☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

## FEE CALCULATION

### 1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
13	25	0	\$0.00
Independent Claims	4	0	\$0.00
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	
1202 50	2202 25	Claims in excess of 20
1201 210	2201 105	Independent claims in excess of 3
1203 370	2203 185	Multiple Dependent claim, if not paid
1204 810	2204 405	**Reissue independent claims over original patent
1205 810	2205 405	***Reissue claims in excess of 20 and over original patent

SUBTOTAL (1) (\$) 0.00

### 2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	
1051 130	2051 65	Surcharge - late filing fee or oath
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet
2053 130	2053 130	Non-English specification
1251 120	2251 60	Extension for reply within first month
1252 460	2252 230	Extension for reply within second month
1253 1,050	2253 525	Extension for reply within third month
1254 1,640	2254 820	Extension for reply within fourth month
1255 2,230	2255 1,115	Extension for reply within fifth month
1401 510	2401 255	Notice of Appeal
1402 510	2402 255	Filing a brief in support of an appeal
1403 1,030	2403 515	Request for oral hearing
1451 1,510	2451 1,510	Petition to institute a public use proceeding
1480 130	2480 130	Petitions to the Commissioner
1807 50	1807 50	Processing fee under 37 CFR 1.17(a)
1806 180	1806 180	Submission of Information Disclosure Stmt
1809 810	1809 405	Filing a submission after final rejection (37 CFR § 1.129(a))
1810 810	2810 405	For each additional invention to be examined (37 CFR § 1.129(b))

Other fee (specify)

SUBTOTAL (2)

(\$)

## SUBMITTED BY

Name (Print/Type) Mark L. Watson

Registration No. (Attorney/Agent)

46,322

## Complete (if applicable)

Telephone

(303) 740-1980

Signature

Date

05/27/08

Based on PTO/SB/17 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 02/26/2007.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

MAY 27 2008

**FEE TRANSMITTAL  
for FY 2007**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

0.00

## Complete if Known

Application Number	10/646,958
Filing Date	August 21, 2003
First Named Inventor	Carey W. Smith
Examiner Name	Cho, Hong Sol
Art Unit	2616
Attorney Docket No.	42P16159

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☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☒ Credit any overpayments☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

## FEE CALCULATION

## 1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
13	25	0	\$0.00
Independent Claims	4	210.00	\$0.00
Multiple Dependent			

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1202	2202	50	25	Claims in excess of 20
1201	2201	210	105	Independent claims in excess of 3
1203	2203	370	185	Multiple Dependent claim, if not paid
1204	2204	810	405	**Reissue independent claims over original patent
1205	2205	810	405	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (1)

(\$)

0.00

## 2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1051	2051	130	65	Surcharge - late filing fee or oath
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet
2053	2053	130	130	Non-English specification
1251	2251	120	60	Extension for reply within first month
1252	2252	460	230	Extension for reply within second month
1253	2253	1,050	525	Extension for reply within third month
1254	2254	1,640	820	Extension for reply within fourth month
1255	2255	2,230	1,115	Extension for reply within fifth month
1401	2401	510	255	Notice of Appeal
1402	2402	510	255	Filing a brief in support of an appeal
1403	2403	1,030	515	Request for oral hearing
1451	2451	1,510	1,510	Petition to institute a public use proceeding
1460	2460	130	130	Petitions to the Commissioner
1807	1807	50	50	Processing fee under 37 CFR 1.17(q)
1808	1808	180	180	Submission of Information Disclosure Stmt
1809	1809	810	405	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	2810	810	405	For each additional invention to be examined (37 CFR § 1.129(b))

Other fees (specify)

SUBTOTAL (2)

(\$)

Fee Paid

## SUBMITTED BY

Name (Print/Type) Mark L. Watson

Registration No.  
(Attorney/Agent)

46,322

Telephone

(303) 740-1980

Signature

Date

05/27/08

Based on PTO/SE-17 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 02/28/2007.  
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Our Docket No: 042390.P16159

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Smith

Examiner: Cho, Hong Sol

Art Group: 2619

Application No.: 10/646,958

Filed: August 21, 2003

For: COMMUNICATION PROTOCOL  
DETERMINATIONAMENDMENTMail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed May 1, 2008, applicants respectfully request the Examiner to enter the following amendments and to consider the following remarks.

CERTIFICATE OF FACSIMILE TRANSMISSION

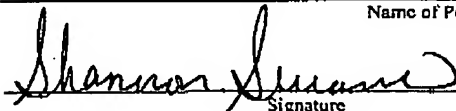
I hereby certify that I am causing the above-referenced correspondence to be transmitted via facsimile to the United States Patent and Trademark Office at (571) 273-8300 on the date indicated below:

May 27, 2008

Date of Deposit

Shannon Serrano

Name of Person Transmitting Correspondence

  
Signature

5/27/08

Date